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September 17, 2021

VIA ECF

MEMO ENDORSED

Honorable Katherine Polk Failla
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Centre Street
New York, New York 10007

Re: United States v. Jerome Dimitriou, 19 Cr. 894

Dear Judge Failla:

I represent defendant Jerome Dimitriou and write on behalf of all counsel in the above-referenced matter, including the government, to request a new trial date of October 17, 2022.

This matter is currently set for trial in January 2022. Pursuant to Your Honor's instruction at the last pretrial conference, I contacted Your Chambers after a separate trial of mine was moved from October 2021 to late February 2022, and was advised to meet and confer with the government to propose a new trial date in or after August 2022.

The parties, having met and conferred, respectfully propose a new trial date of October 17, 2022, subject to the Court's availability. Mr. Dimitriou is not in custody and does not object to excluding the additional time from the speedy trial calculation. The additional time will allow the parties to prepare for trial or to pursue a possible resolution as appropriate.

Thank you for your consideration of this matter.

Respectfully,

/s/ Jonathan P. Bach

Jonathan P. Bach
Shapiro Arato Bach LLP

Nathaniel Marmur
Nathaniel Z. Marmur, PLLC

Counsel for Defendant Jerome Dimitriou

The Court is in receipt of the parties' above request for an adjournment of the trial in this matter. To its surprise, the Court has already scheduled several trials for the second half of 2022, and is unable to accommodate a trial on the parties' proposed date. Accordingly, the trial in this case is hereby ADJOURNED to **October 31, 2022, at 9:00 a.m.** The parties' motions *in limine*, requests to charge, proposed *voir dire* questions, and any pretrial memoranda of law will be due **October 3, 2022**. Any opposition papers will be due **October 10, 2022**. The final pre-trial conference will be scheduled for **October 19, 2022, at 10:00 a.m.** in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York.

It is hereby ORDERED that the time from **January 1, 2022**, through **October 31, 2022**, is excluded under the Speedy Trial Act. See 18 U.S.C. 3161(h) (7)(A). For the reasons stated in Defendant's above letter, the Court finds that exclusion best serves the ends of justice and outweighs the best interests of the public and the Defendant in a speedy trial.

The Clerk of Court is directed to terminate the motion at docket entry 44.

Dated: September 20, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE